

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

WILLIAM SAMUEL MCLEAN, JR.,)	
)	
Plaintiff,)	
vs.)	2:08-cv-128-WTL-WGH
)	
FEDERAL BUREAU OF PRISONS,)	
)	
Defendant.)	

ENTRY

This case sits in the channel between the Scylla of the defendants against whom claims have been dismissed and the Charybdis of claims against the Federal Bureau of Prisons not yet determined to be either viable or deficient in the screening regime of the Prison Litigation Reform Act of 1995. *Jones v. Bock*, 127 S. Ct. 910, 921 (2007)(pursuant to 28 U.S.C. § 1915A(b), "[a] complaint is subject to dismissal for failure to state a claim if the allegations, taken as true, show that plaintiff is not entitled to relief.>").

Through his motion to compel filed on June 28, 2010 (dkt 139), the plaintiff seeks an order directing counsel for the defendants to label mail sent to him as follows: "Jeffrey L. Hunter, Attorney at Law, Special Mail Open only in the Presence of the Inmate."

The enigma evident from the plaintiff's request in his motion to compel is that the Federal Bureau of Prisons has not appeared in this action by counsel (nor otherwise) and the court is not disposed to issue an order such as that sought by the plaintiff to counsel for the dismissed defendant individuals based on the speculation that one or more claims against the Federal Bureau of Prisons will be found viable and that such agency, upon being served with process, will secure representation from the same attorney. Only speculation can make this appear likely.

In light of the foregoing, the plaintiff's motion to compel (dkt 139) is **denied**. Notwithstanding this ruling, however, all parties or their counsel are entitled to prompt notice of any filings and any action taken to serve such notice must be taken in a fashion to be effective under the circumstances. The plaintiff is entitled to know what filings and rulings have been made in the case. He may seek to be supplied with a copy of the docket sheet during the upcoming pretrial conference. If it is determined thereafter that he lacks a copy of any materials indicated on the docket, he may request from the clerk to be supplied with such materials.

Counsel for the dismissed defendant individuals is requested to arrange for a copy of this Entry to be faxed to the institution where the plaintiff is confined and to thereupon be delivered to him as promptly as possible.

IT IS SO ORDERED.

Date: 06/30/2010

A handwritten signature in cursive script, reading "William T. Lawrence", written in black ink over a horizontal line.

Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana

Distribution:

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Honorable William G. Hussman, Jr.
Magistrate Judge